

sisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: (Cases) "Purflake Pure Vegetable Puff Pastry Shortening * * * 30 [or '60'] Net Weight."

On August 19, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2504. Adulteration and misbranding of olive oil. U. S. v. 18 Cans, 2 Cans, and 6 Cans of Olive Oil. Default decree of condemnation and destruction. (F. D. C. No. 4882. Sample Nos. 50840-E, 50841-E, 50842-E.)

This product was represented to be olive oil, whereas it consisted essentially of cottonseed oil.

On or about June 6, 1941, the United States attorney for the District of Maryland filed a libel against 26 cans of olive oil at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about May 19, 1941, by Spiros Annos from Philadelphia, Pa.; and charging that it was adulterated and misbranded. It was labeled in part: "Olio di Oliva Vergine Lucca Brand"; or "Italia Brand Olio d'Oliva Supremo Importato."

The article was alleged to be adulterated in that cottonseed oil had been substituted wholly or in part for olive oil, which it purported to be. It was alleged to be misbranded in that the following statements in the labeling were false and misleading as applied to cottonseed oil: (18 cans) "Olio di Oliva Vergine Lucca * * * Prodotto Italiano Olio d'Oliva," "This olive oil is guaranteed pure Olio d'Oliva," "Questo Olio e garantito di puro oliva Olio d'Oliva," "Imported Pure Olive Oil"; and (8 cans) "Italia Brand Supreme Olive Oil Imported Lucca-Italia," "Italia Brand Olio d'Oliva Supremo Importato Lucca-Italia," "The purity of this olive oil is guaranteed under chemical analysis and we recommend it for table and medicinal uses," "La purezza di quest olio e garentita all analisi chimica noilo raccomandiamo per uso tavola che per uso medicinale," and "Imported Pure Olive Oil." It was alleged to be misbranded further in that it was offered for sale under the name of another food; and in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor.

On July 9, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2505. Adulteration and misbranding of olive oil. U. S. v. 5 Cans and 27 Cans of Olive Oil. Default decrees of condemnation and destruction. (F. D. C. No. 3876. Sample Nos. 56022-E, 56023-E.)

This product was found to consist (5 cans) of artificially colored cottonseed oil or (27 cans) essentially of soybean or corn oil colored with a coal-tar dye not certified for food use; and (all cans) containing little or no olive oil, although represented in its labeling to be pure olive oil.

On or about February 26, 1941, the United States attorney for the District of Connecticut filed a libel against 32 cans of olive oil at Bridgeport, Conn., alleging that the article had been shipped in interstate commerce on or about September 2, 1939, by J. Caruso from Elizabeth, N. J.; and charging that it was adulterated and misbranded. It was labeled in part: (Cans) "Olio Di Oliva-Vergine Lucca Brand"; or "Superfine Olive Oil A. Sasso Brand."

The article was alleged to be adulterated in that (5 cans) an artificially colored cottonseed oil, containing little or no olive oil, had been substituted wholly or in part for olive oil; (27 cans) in that an artificially colored oil consisting essentially of soya bean or corn oil with a small amount of cottonseed oil, containing little or no olive oil, had been substituted wholly or in part for olive oil; (all cans) in that inferiority had been concealed by the addition of artificial color; in that artificial color had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was; and (27 cans) in that it contained a coal-tar color other than one from a batch that had been certified as provided by law.

It was alleged to be misbranded in that the following statements borne on the labels were false and misleading: (5 cans) "Olio di Oliva-Vergine Lucca * * * Prodotto Italiano Olio d'Oliva [design of olive branch with olives] This olive oil is guaranteed pure," "Questo Olio e garantito di puro oliva," and "Imported Pure Olive Oil"; (27 cans) "Superfine Olive Oil * * * Imported Product," "Olio d'Oliva Sopraffino * * * Prodotto Importato [design of an olive branch with olives]," "Pure Olive Oil Imported," "Olio Puro d'Oliva Raccomandato per uso medicinale," and "Puro Olio di Oliva." It was alleged to be misbranded further in that it was an imitation of another food, olive oil,

and its label did not bear in type of uniform size and prominence the word "Imitation" and immediately thereafter the name of the food imitated; in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; and in that it contained artificial coloring and did not bear labeling stating that fact.

On May 21, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2506. Misbranding of vegetable oil. U. S. v. 7 Cans of Vegetable Oil. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. No. 5098. Sample No. 56280-E.)

Analysis showed that this product, which failed to bear a label, was a mixture of corn oil and peanut oil containing artificial color.

On July 7, 1941, the United States attorney for the District of New Jersey filed a libel against 7 cans of vegetable oil at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about May 23, 1941, by Filippo Catanzaro from Brooklyn, N. Y.; and charging that it was misbranded. The article was unlabeled except for the statement "5 U. S. gallons" embossed on the cans.

It was alleged to be misbranded in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer or distributor and did not bear a label containing an accurate statement of the quantity of the contents; in that it did not bear a label containing the common or usual name of the food; in that it was fabricated from two or more ingredients and did not bear a label containing the common or usual name of each such ingredient; and in that it contained artificial coloring and did not bear labeling stating that fact.

On October 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable organization.

2507. Adulteration and misbranding of oil. U. S. v. 8 Cases and 6 Cans of Cottonseed Corn & Olive Oil and 3 Cases and 4 Cans of Cottonseed and Olive Oil. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 3905. Sample Nos. 56025-E, 56026-E.)

Both lots of this oil consisted essentially of artificially flavored and artificially colored cottonseed oil containing little or no olive oil.

On March 4, 1941, the United States attorney for the District of Connecticut filed a libel against a total of 76 gallon cans of the above-described products at Waterbury, Conn., alleging that the articles had been shipped in interstate commerce on or about September 25, 1940, by Ciroco Oil Co. from Brooklyn, N. Y.; and charging that they were adulterated and misbranded. They were labeled in part: "Cottonseed Corn & Olive Oil Superfine Brand" and "Ciroco Brand 80% Cottonseed and 20% Olive Oil."

The products were alleged to be adulterated in that artificially flavored and artificially colored cottonseed oil, containing little or no olive oil, had been substituted wholly or in part for "Cottonseed Corn & Olive Oil" and "80% Cottonseed & 20% Olive Oil," which they purported to be; in that inferiority had been concealed by the addition of artificial flavor and artificial color; and in that artificial flavor and artificial color had been added thereto or mixed or packed therewith so as to make them appear better or of greater value than they were.

They were alleged to be misbranded in that the statements "Cottonseed Corn & Olive Oil" and "80% Cottonseed & 20% Olive Oil" were false and misleading; in that they were imitations of another food and their labels failed to bear, in type of uniform size and prominence, the word "Imitation" and immediately thereafter, the name of the food imitated; in that the labels contained representations in a foreign language (Italian) and the information required by the act to appear on the labels did not appear thereon in the foreign language; and in that they contained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On May 26, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered distributed to charitable institutions.

2508. Misbranding of oil. U. S. v. 11 Cans, 5 Cans, and 6 Cans of Oil. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. No. 5201. Sample Nos. 69647-E, 69648-E.)

This product failed to comply with certain of the mandatory labeling requirements of the law and also contained undisclosed artificial coloring.

On July 24, 1941, the United States attorney for the District of New Jersey filed a libel against 17 gallon cans and 5 5-gallon cans of oil at Newark, N. J.,